Meeting here with Fensterwald and Lesar on Ray case 3/7/74 HW 3/8/74

Bud was off on one of his crazy/economy kicks. He had planned not to take Jim to the pretrial conference in judge's chambers 3/15. Jim was afraid Bud would blow almost anything on which he is pushed. I agreed. Jim had failed to get Bud to say he would take Jim.

I was both diplomatic and blunt in taking this up with Bud, not letting on I knew and addressing the need for Jim to fill certain functions at this meeting before apparently finding out. Bud saw the needs and problems I outlined and agreed with no sweat, not even acknowledging he had ever planned otherwise. He went to far too far that he proposed not only having Jim recognized as counsel, meaning co-counsel, he offered to move that Jim be made chief counsel. I objected strong and he agreed.

There was nothing else on which we did not agree, nothing I wanted done that it is not agreed is to be done, even on tactics. He is to ask by mail in advance that instead of a meeting in chambers it be in open court and to have xeroxes of the letter to give the press if he has to tell them that what happened in chambers is secret, putting more pressure on judge and DA. The approach on depositions is unanimous. When Foreman is deposed, by the State and in Houston, I am to be there. He is to oppose depositing James on the ground that the live witness is available at the hearing and it is designed as a fishing expedition. Many other details. In fact, he liked my suggestions on almost everything.

He showed me a letter from Haile on James and his conditions. I found a sentence in it that means there really is no legitimate reason for persisting in them now, he agrees with this interpretation, is to press it, is to have a motion ready and to go to the court of appeals immediately if denied and is to be vigorous about this.

If there is a hassle, Jim is to be the ~~kingk~~ lightening rod.

He agreed to seek special counsel in civil suits, agrees with my interpretation of the legal meaning of the Haie letter, and we discussed some possibilities.

I said he must be the only spokesman but that what he says should be agreed upon in advance. If not possible, anything he can't answer he refers to those who can.

We also agreed on a basic philosophy for the immediate hearing, that we have the witnesses to prove our points and let them put their case on, we use their witnesses against them. Particularly Foreman. Discuss with James in advance how to cushion impact on him. Agreed he'll take the line I forecast, serving self-interest and grabbing copout.

With effectiveness of counsel, which includes pretrial investigation, they are to depose me on this in Washington, in generalities about my investigation and how much was how easily available in how little time.

The only real problem I can anticipate is Bud's not keeping his word. If he does, all indications are that all will go rather well.